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52

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,859	02/28/2002	Benjamin J. Parker	1797 (15815)	2991
33272	7590	04/15/2005	EXAMINER	
SPRINT COMMUNICATIONS COMPANY L.P. 6391 SPRINT PARKWAY MAILSTOP: KSOPHT0101-22100 OVERLAND PARK, KS 66251-2100			GEREZGIHER, YEMANE M	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,859

Applicant(s)

PARKER ET AL.

Examiner

Yemane M. Gerezgiher

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/14/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. Claims 1-13 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 9 and 13, the inventive entity recite, "...establishing a data call between said computer apparatus and said remote computer **in response to said database of IP addresses...**" (See Claim 1, Claim Lines 10-12, Claim 9 Lines 10-12 and Claim 13 Claim Lines 10-12). It is unclear what the applicant encompasses to cover by establishing a call between communication devices in response to the phraseology ("database of IP addresses). A database is commonly known as a collection of data or information, usually stored in an electronic format, which can be searched by a computer. Having that said, it is not clear how the establishment of the data call between the communication devices is attained in response to a database that merely contains data or information.

For examination purpose, the Examiner will broadly interpret the functional limitation recited above to read as "...establishing a data call between said computer apparatus and said remote computer in accordance with resolved IP addresses obtained from a name server (such as DNS) or a server (such as DHCP, ARP or RARP) that allocates IP addresses from its database of IP addresses..."

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In Claim 13, the inventive entity recite, *A software product configured to transmit information...establish a data call between resident computers ...* (see Claim 13 Page 21 Claim Lines 1-6).

This claim is directed to a non-statutory subject matter (**a software per-se**), which is not tangibly embodied on a computer readable medium so is to be executable. In order to cure the deficiency of the claim 13 as presented, the inventive entity further recite, "a storage system that stores said software product." (See Claim 13 Page 21 Claim Lines 34). However, the Examiner could not

Art Unit: 2144

find any evidence in the specification describing the claimed storage storing the software product been a computer readable medium having therein the "software product" and when executed by a computer device performing the limitations disclosed in the claim.

Thus, Claim 13 is rejected as been directed to a non-statutory subject matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 6, 7, 9-11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ludwig et al (U.S. Patent Number 5,978,835) hereinafter referred to as Ludwig.

As per claim 1: maintaining a central server coupled to said internetwork and containing a database of IP addresses of registered computers; running first and second call clients in said first and second computers, respectively, for establishing a data call between said computer apparatus and said remote computer in accordance with resolved IP addresses obtained from a name

Art Unit: 2144

server (such as DNS) or a server (such as DHCP, ARP or RARP) that allocates IP addresses from its database of IP addresses, said data call comprising live video exchange from at least one video camera coupled to one of said first and second computers and comprising a network session between said first and second call clients; [see Column 18 Lines 62-65, Column 19 Lines 61-67, Fig. 23, Fig. 31B, Column 21 Lines 6-20 and Lines 48-65 : Ludwig disclosed a central real-time multimedia server allowing audio/video communication in an IP network and where the clients initiating and establishing real-time communication sessions such as live video session having therein associated cameras with the respective communication device. Ludwig disclosed a name server resolving IP addresses when establishing a data call in the communication network] establishing a voice telephone call between first and second users of said first and second computers, respectively, at least one of said first and second users being seen in said live video exchange; [see Figs. 2A-2B, Column 19 Lines 11-19, Column 24 Lines 22-29 and Lines 48-50: Ludwig disclosed a live video telephony where there are plurality of participants seen in the live video telephony or conference] said first user initiating a first image viewer subclient under control of said first call client; [see Column 19 Lines 11-19: Ludwig taught a client electing and initiating a collaborated session and selecting desired participants]said first image viewer subclient loading and displaying still image data specified by said first user on said first computer; [see Figs. 2A-2B: Ludwig disclosed a client displaying still images on

Art Unit: 2144

a window display separate from the real-time video telephony] said first image viewer subclient transmitting said still image data to said second computer using said network session; [see Column 19 Lines 43-45: Ludwig disclosed sending the still image view to other participants invoking a snapshot sharing module at each participant's display] said second call client in said second computer receiving said still image data, running a second image viewer subclient, and loading said still image data into said second image viewer subclient; [see Column 21 Lines 47-65 and Column 26 Lines 30-40: Ludwig disclosed sharing the still image among all the intended participants window display]and said second image viewer subclient displaying said still image data on said second computer; wherein said live video exchange is maintained simultaneously with display of said still image data by said image viewer subclients. [See Figs. 2A-2B, Column 24 Lines 22-30, Column 26 Lines 30-40 and Lines 58-67].

As per claim 2: wherein said network session is comprised of direct transmissions between said first and second computers as source and destination of said transmissions, respectively. [See Fig. 23: Ludwig taught the caller (first computer) requesting an address of the target (second computer by communicating with a DNS, the DNS returning the target (second computer address and then after the first computer communicating with the second computer accordingly].

As per claim 3: said network session is comprised of a first network session between said first computer and said central server and a second network session between said second computer and said central server, whereby said central server relays said live video exchange and said still image data. [See Fig. 31B and Column 21 Lines 6-20].

As per claim 4: wherein said still image data is comprised of an array of pictures, and wherein said pictures are displayed in succession by said first and second image viewer subclients substantially simultaneously. [See Figs. 2A-2B, Column 24 Lines 22-30 and Column 26 Lines 30-40 and Lines 58-67].

As per claim 6: wherein progression through said array is controlled in response to manual control signals generated by said first user or said second user. [Figs. 36-37: in reference to shared window 210, Ludwig disclosed manual control icons to navigate through the image in a backward and/or forward direction].

As per claim 7: wherein said transmitted still image data is compressed data and wherein said second image viewer subclient decompresses said still image data prior to displaying. [See Figs. 31B-31C, Column 32 Lines 52-60]

As per claims 9 and 13: a call client for transmitting information identifying said remote computer to a central server maintaining a database of IP addresses of registered computers, and for establishing a data call between

Art Unit: 2144

said computer apparatus and said remote computer in accordance with resolved IP addresses obtained from a name server (such as DNS) or a server (such as DHCP, ARP or RARP) that allocates IP addresses from its database of IP addresses, said data call comprising live video exchange from at least one video camera coupled to one of said computer apparatus or said remote computer, and said data call comprising a network session; [see Column 18 Lines 62-65, Column 19 Lines 61-67, Fig. 23, Fig. 31B, Column 21 Lines 6-20 and Lines 48-65 : Ludwig disclosed a central real-time multimedia server allowing audio/video communication in an IP network and where the clients initiating and establishing real-time communication sessions such as live video session having therein associated cameras with the respective communication device. Ludwig disclosed a name server resolving IP addresses when establishing a data call in the communication network] and an image viewer subclient under control of said call client for loading and displaying still image data specified on said first computer and for transmitting said still image data to said remote computer using said network session; [see Column 19 Lines 43-45, Column 9 Lines 19-28, Column 26 Lines 30-40, Column 26 Lines 58-67 and Figs. 2A-2B] wherein said live video exchange is maintained simultaneously with display of said still image data by said image viewer subclient. [See Figs. 2A-2B, Column 24 Lines 22-30].

As per claims 10 and 11: wherein said image viewer subclient comprises a user interface responsive to a user for specifying said still image data as an

Art Unit: 2144

array of pictures and wherein said user interface is further responsive to said user for specifying a progression for successively displaying said pictures. [See Figs. 2A-2B, 36-37 and Column 19 Lines 11-19].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al (U.S. Patent Number 5,978,835) in view of Anderson (U.S. Patent Number 6,847,388).

The teachings of Ludwig as applied to the claims above, substantially disclosed the invention as claimed. However, Ludwig was silent about controlling the array of still images in response to a timing sequence specified by the user. However, this feature as evidenced by the teachings of Anderson was known in the art at the time the invention was made. Anderson disclosed a method of controlling images displayed on a user interface and further disclosed a user setting a specified timing sequence in displaying the still images on the display. See Abstract and Column 13 Lines 18-21. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to take the teachings of Anderson related to user defined timing rate of sequence and have modified the teachings of Ludwig related to concurrently sharing still image or snapshots alongside ongoing video conference or video telephony in order to “provide more efficient ways to quickly navigate through a series of images” See Column 2 Lines 31-32.

8. Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al (U.S. Patent Number 5,978,835) in view of Alexander et al (U.S. Patent Number 6,798,767) hereinafter referred to as Alexander.

With respect to the rejection applied above, Ludwig substantially disclosed the invention as claimed. However, was silent about mapping the dialed telephone number on a telephone interface of the client at the central server determining an IP address of identifying said remote computer. However, as evidenced by the teachings of Alexander, receiving a call request at a central server/call manager having therein a database call-out information and according to the dialed telephone number mapping or determining associated IP address of a target device was known in the art at the time the invention was made. See Abstract, Fig. 2, Figs. 4A-4B and Column 10 Lines 38-46. Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Alexander related to determining an IP address of a target device according to a

dialed telephone number and have modified the teachings of Ludwig related to concurrently sharing still image or snapshots alongside ongoing video conference or video telephony in order to allow clients to use easy-to-remember telephone numbers instead of complicated IP addresses of a target device when initiating or receiving a voice call in a communication network.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

- a. Roy (US 6831899 B1) entitled: "Voice and video/image conferencing services over the IP network with asynchronous transmission of audio and video/images integrating loosely coupled devices in the home network"
- b. Ludwig et al. (US 20040107253 A1) entitled: "System for real-time communication between plural users"
- c. Ludwig et al. (US 20040107254 A1) entitled: "Method for real-time communication between plural users"
- d. Ludwig et al. (US 20040107255 A1) entitled: "System for real-time communication between plural users"
- e. Westfield (US 6677979 B1) entitled: "Method and apparatus for dual image video teleconferencing"

- f. Crandall et al. (US 6425131 B2) entitled: "Method and apparatus for internet co-browsing over cable television and controlled through computer telephony"
- g. Bhattacharya et al. (US 6353610 B) disclosed call signaling method involves identifying IP address of gateway corresponding to indicated telephone number and transmitting message to gateway.
- h. Kung et al. (US 6381220 B1) entitled: "Monitoring selected IP voice calls through activity of a watchdog program at an IP-addressing mapping check point"
- i. Ludwig et al. (US 6351762 B1) entitled: "Method and system for log-in-based video and multimedia calls"
- j. Ludwig et al. (US 6343314 B1) entitled: "Remote participant hold and disconnect during videoconferencing"
- k. Barraclough et al. (US 6301607 B1) entitled: "Arrangement and method for displaying and sharing images"
- l. Ludwig et al. (US 6237025 B1) entitled: "Multimedia collaboration system"
- m. Ludwig et al. (US 6212547 B1) entitled: "UTP based video and data conferencing"
- n. Ludwig et al. (US 5915091 A) entitled: "Synchronization in video conferencing"

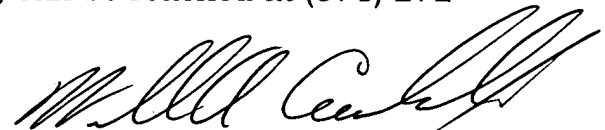
Art Unit: 2144

- o. Ludwig et al. (US 5896500 A) entitled: "System for call request which results in first and second call handle defining call state consisting of active or hold for its respective AV device"
- p. Schwartz et al. (US 5872923 A) entitled: "Collaborative video conferencing system"
- q. Schuster et al. (US 6674745 B1) entitled: "Method and system for mapping phone numbers to IP addresses"

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Yemane Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, William Cuchlinski, can be reached at (571) 272-3925.

Yemane M. Gerezgiher
Patent Examiner



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